

Remarks

On the basis of the groups presented by the Examiner, Applicant elects Group III, Claims 1-5, 7-9, 14-19 and 20-21, in part, drawn to a compound/compositions of formula (I or Ij), containing compounds not encompassed in Groups I-II.

As a single species, Applicants elect: 3-(benzo[1,2,5]thiadiazol-5-yl)-3-{6-[2-(6-methylamino-pyridin-2-yl)-ethyloxy]-indol-3-yl}-propionic acid, which is disclosed, for example, on page 22, lines 24-25 and claim 17.

The substituents for each variable of formula (I) are as follows:

X is a bond,

A is a bond,

B is O,

R¹ is H,

R² is H,

R³ is pyridine substituted with NHZ,

Z is methyl,

R⁴ is benzothiadiazole,

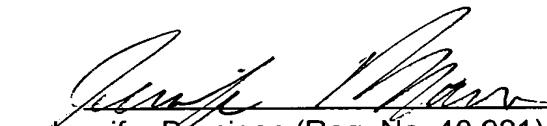
and

R⁵ is H.

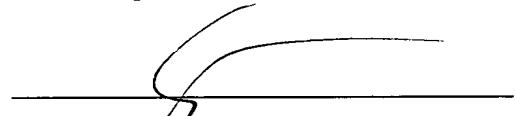
Applicants respectfully traverse the restriction since the groups are related to each other in reciting similar classes of compounds, for example, all are classified in Class 514. Thus, a search of the claims would require a search of overlapping subject matter so the burden on the Examiner to examine the full scope of the claims is far less than the burden on the applicant to file, prosecute and maintain separate applications. In the absence of a serious burden of examination, restriction is not proper. See M.P.E.P. 803.

Withdrawal of the restriction and examination of all claims is respectfully requested.

Respectfully submitted,



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